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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,547	06/09/2006	Bea Su Jo	2029.02	4731
29338	7590	10/05/2009	EXAMINER	
PARK LAW FIRM 3255 WILSHIRE BLVD SUITE 1110 LOS ANGELES, CA 90010			TOLENTINO, RODERICK	
			ART UNIT	PAPER NUMBER
			2439	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/582,547

Applicant(s)

JO, BEA SU

Examiner

Roderick Tolentino

Art Unit

2439

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-26 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 09 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/ISD)
Paper No(s)/Mail Date 08/08/2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 26 are pending.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 13 is rejected under 35 U.S.C. 101 based on Supreme Court precedent and recent Federal Circuit decisions, a 35 U.S.C § 101 process must (1) be tied to a particular machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In re Bilski et al, 88 USPQ 2d 1385 CAFC (2008); Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876).
3. An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory process, the claim should positively recite the particular machine to which it is tied, for example by identifying the apparatus that accomplishes the method steps, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.
4. As per claim 13, applicant's method steps are not tied to a particular machine and do not perform a transformation. Thus, the claims are non-statutory.

5. The mere recitation of the machine in the preamble with an absence of a machine in the body of the claim fails to make the claim statutory under 35 USC 101.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 8 – 11 are rejected under 35 U.S.C. 102(e) as being anticipate by Guenebaud U.S. PG-Publication No. (2006/0053457).
8. As per claim 8, Guenebaud discloses a decoding unit for decompressing and decoding a distorted contents (Guenebaud, Paragraph 0027, means for decoding digital signals), a contents analyzing unit for extracting recovering information for the distorted contents (Guenebaud, Paragraph 0080, receiving data and descrambling), a signal extraction unit for extracting an encrypted filter initial value and image correction information from the decompressed distorted contents (Guenebaud, Paragraph 0080, receiving data and descrambling), and a contents recovering unit for generating a recovering filter based on the filter initial value and recovering contents from the

distorted contents by using the recovering filter (Guenebaud, Paragraph 0080, receiving data and descrambling).

9. As per claim 9, Guenebaud discloses a decoding scheme of the decoding unit is determined corresponding to an encoding scheme of an encoding unit of a distorted contents generating apparatus(Guenebaud, Paragraph 0027, means for decoding digital signals).

10. As per claim 10, Guenebaud discloses the contents analyzing unit performs detecting the encrypted filter initial value information and the correction information (Guenebaud, Paragraph 0080, receiving data and descrambling).

11. As per claim 11, Guenebaud discloses the contents recovering unit comprises: a recovering filter generation unit for generating the recovering filter based on the encrypted filter initial value provided from the signal extraction unit; a data filtering unit for filtering the distorted contents with the generated recovering filter; and a contents correction unit for correcting a portion of the recovered contents based on the correction information transmitted from the signal extraction unit (Guenebaud, Paragraph 0048, filtering unit).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 1 – 7 and 12 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guenebaud U.S. PG-Publication No. (2006/0053457) in view of Kudumakis U.S. PG-Publication No. (2003/0128845).
14. As per claims 1 and 21, Guenebaud teaches a data filtering unit for distorting an original contents by filtering the original contents with the distorting filter (Guenebaud, Paragraph 0048, filtering unit), an encoding unit for encoding the distorted contents output from the data filtering unit (Guenebaud, Paragraph 0032, encoding unit), a signal insertion unit for encrypting the initial value information generated by the initial value generation unit and inserting the encrypted filter initial value into the distorted contents (Guenebaud, Paragraph 0056, digital signals encrypted) and an image correction unit for inserting image correction information into the encoded distorted contents transmitted from the encoding unit (Guenebaud, Paragraph 0112, inserting image data) But fails to teach an initial value generation unit for generating an initial value used to generate a random number for a distorting filter; a random number generation unit for generating a random number for the distorting based on the initial value transmitted from the initial value generation unit; a filter generation unit for generating a distorting filter based on the random number. However, in an analogous art Kudumakis teaches an initial value generation unit for generating an initial value used to generate a random number for a distorting filter (Kudumakis, Paragraph 0019, random number generator for scrambling unit), a random number generation unit for generating a random number for the distorting based on the initial value transmitted from the initial value generation

unit and a filter generation unit for generating a distorting filter based on the random number (Kudumakis, Paragraph 0019, random number generator for scrambling unit).

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to use Kudumakis' method of scrambling a signal with Guenebaud's module system for processing digital signals because it offers the advantage of giving an alternative technique for scrambling or encryption for a higher level of security (Kudumakis, Paragraph 0005).

15. As per claims 2 and 15, Guenebaud teaches the original contents is an analog signal, and wherein the apparatus further comprises an analog-to-digital conversion unit for converting the analog signal to a digital signal and outputting the digital signal to the data filtering unit (Guenebaud, Paragraph 0037, analog to digital conversion).

16. As per claims 3 and 16, Guenebaud teaches a data determination unit for analyzing format information of the original contents; and a configuration setting unit for determining a configuration setting value of the distorting filter based on the analyzed format information (Guenebaud, Paragraph 0080, receiving data and descrambling).

17. As per claims 4 and 17, Guenebaud teaches the data determination unit analyzes at least information of a screen size, the number of frames, a reproducing time, and a data amount per unit time of the original contents (Guenebaud, Paragraph 0080, receiving data and descrambling).

18. As per claims 5 and 18, Guenebaud teaches the configuration setting value determined by the configuration setting unit includes information on at least one of the number of partitions per frame of contents, the number of partitions to which the random

number for the distorting filter is applied, an occupation rate of the random number for the distorting filter applied to the partitions of each of the frames of the contents, the number of distorting filters applied to streams of the digital contents, and a stream range to which the distorting filter is applied (Kudumakis, Paragraph 0019, random number generator for scrambling unit).

19. As per claims 6 and 19, Guenenbaud teaches an initial value encrypting unit for encrypting the initial value information generated by the initial value generation unit (Guenenbaud, Paragraph 0056, digital signals encrypted).

20. As per claims 7 and 20, Guenenbaud teaches a signal packaging unit for packaging and transmitting a plurality of image signals to which the image correction information and the encrypted filter initial value are inserted (Guenenbaud, Paragraph 0056, digital signals encrypted).

21. As per claim 12, Guenebaud teaches an initial value decryption unit for decrypting the encrypted filter initial value transmitted from the signal extraction unit (Guenenbaud, Paragraph 0028 – 0035, means for decrypting) and an inverse filter generation unit for generating the recovering filter used to recover the distorted contents based on the filter information value transmitted from the random number generation unit and the decrypted initial value transmitted from the initial value decryption unit (Guenenbaud, Paragraph 0048, filtering unit) but fails to teach a random number generation unit for generating an filter value information used to recover the contents based on the decrypted initial value transmitted from the initial value decryption unit. However, in an analogous art Kudumakis a random number generation unit for

generating an filter value information used to recover the contents based on the decrypted initial value transmitted from the initial value decryption unit (Kudumakis, Paragraph 0019, random number generator for scrambling unit).

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to use Kudumakis' method of scrambling a signal with Guenebaud's module system for processing digital signals because it offers the advantage of giving an alternative technique for scrambling or encryption for a higher level of security (Kudumakis, Paragraph 0005).

22. As per claim 13, Guenebaud teaches encrypting information on the distorting filter; generating correction information on the distorted contents (Guenebaud, Paragraph 0056, digital signals encrypted), and generating the distorted contents by packaging the generated distorted contents, the information on the distorting filter, and the distortion correction information (Guenebaud, Paragraph 0048, filtering unit) but fails to teach generating an initial value used to generate a random number for a distorting filter; generating a distorting filter based on the generated initial value; distorting an original contents with the distorting filter. However, in an analogous art Kudumakis teaches generating an initial value used to generate a random number for a distorting filter; generating a distorting filter based on the generated initial value; distorting an original contents with the distorting filter (Kudumakis, Paragraph 0019, random number generator for scrambling unit).

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to use Kudumakis' method of scrambling a signal with

Guenebaude's module system for processing digital signals because it offers the advantage of giving an alternative technique for scrambling or encryption for a higher level of security (Kudumakis, Paragraph 0005).

23. As per claim 14, Guenebaud as modified teaches generating a predetermined random value based on the generated initial value; and generating a distorting filter based on the generated random value and the generated initial value (Kudumakis, Paragraph 0019, random number generator for scrambling unit).

24. As per claim 21, Guenebaud teaches receiving and decoding a distorted contents (Guenebaud, Paragraph 0027, means for decoding digital signals), extracting encrypted filter information and correction information from the received distorted contents (Guenebaud, Paragraph 0048, filtering unit), generating an initial value by decrypting the extracted encrypted filter information (Guenebaud, Paragraph 0028 – 0035, means for decrypting), recovering the distorted image signal by using the recovering filter (Guenebaud, Paragraph 0080, receiving data and descrambling) and correcting the recovered image signal based on the extracted correction information (Guenebaud, Paragraph 0112, inserting image data) but fails to teach generating a filter information value used based on the generated initial value to recover an image signal and generating a recovering filter based on the generated random value and the initial value. However, in an analogous art Kudumakis teaches generating a filter information value used based on the generated initial value to recover an image signal and generating a recovering filter based on the generated random value and the initial value (Kudumakis, Paragraph 0019, random number generator for scrambling unit).

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to use Kudumakis' method of scrambling a signal with Guenebaud's module system for processing digital signals because it offers the advantage of giving an alternative technique for scrambling or encryption for a higher level of security (Kudumakis, Paragraph 0005).

25. As per claim 22, Guenebaud as modified teaches a decoding scheme performed in the decoding step (Guenebaud, Paragraph 0027, means for decoding digital signals), is determined corresponding to an encoding scheme performed in an encoding step of a distorted contents generating method (Guenebaud, Paragraph 0032, encoding unit).

26. As per claim 23, Guenebaud as modified teaches a contents analyzing step of extracting basic information from the decoded distorted contents used to recover the distorted contents (Guenebaud, Paragraph 0080, receiving data and descrambling).

27. As per claim 24, Guenebaud as modified teaches contents analyzing step further performs a step of detecting the encrypted filter initial value information and the correction information (Guenebaud, Paragraph 0080, receiving data and descrambling).

28. As per claim 25, Guenebaud as modified teaches a recovering filter generation step of generating the recovering filter based on the encrypted filter initial value provided from the signal extraction step (Guenebaud, Paragraph 0048, filtering unit), a data filtering step of filtering the distorted contents with the generated recovering filter; and a contents correction step of correcting a portion of the recovered contents based

on the correction information transmitted from the signal extraction step (Guenenbaud, Paragraph 0048, filtering unit).

29. As per claim 26, Guenebaud as modified teaches an initial value decrypting step of decrypting the encrypted filter initial value transmitted from the signal extraction step (Guenenbaud, Paragraph 0028 – 0035, means for decrypting), a random number generation step of generating an filter value information used to recover the contents based on the decrypted initial value transmitted from the initial value decrypting step (Kudumakis, Paragraph 0019, random number generator for scrambling unit), and an inverse filter generation step of generating the recovering filter used to recover the distorted contents based on the filter information value transmitted from the random number generation step (Guenenbaud, Paragraph 0048, filtering unit), and the decrypted initial value transmitted from the initial value decrypting step (Guenenbaud, Paragraph 0028 – 0035, means for decrypting).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on Monday - Friday 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Roderick Tolentino
Examiner
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